

IV. REMARKS

Claims 1-4, 6-10, 12-18, and 20 are pending in this application. By this Amendment, Applicant has amended claims 1, 9, 14, 18, and 20 and the specification at paragraph [0005]; and cancelled claims 5, 11, and 19. These amendments and cancellations are being made to facilitate early allowance of the presently claimed subject matter. Applicant does not acquiesce in the correctness of the objections and rejections and reserves the right to pursue the full scope of the subject matter of the original claims, or claims that are potentially broader in scope, in the current and/or a related patent application. Reconsideration in view of the following remarks is respectfully requested.

Amendment to the Specification

By this Amendment, Applicant has amended the specification at paragraph [0005] to correct a typographical error. Only an 'n' is deleted; no new matter is added. Entry of this correction is respectfully requested.

Claim Objections

In the Office Action, claims 18-20 are objected to because of informalities, including the recitation of “program code, which when executed, enables a computer system to...” perform the claimed features. (Claim 18 as previously presented.) The Office submits that the use of “enables” draws into question whether the actions are actually performed by the code or if the code simply prevents prohibition of the actions being taken. In accordance with the Office's suggestion, Applicant has amended claims 18-20 herein to recite “a program product stored on a physical recordable medium for tracking data, the program product including program code, which when executed, causes a computer system to...” (claim 18, and similarly recited in

dependent claim 20). Applicant respectfully submits that in view of at least these amendments to claims 18 and 20, and the cancellation of claim 19, all grounds of objection have been obviated.

Rejections under 35 U.S.C. § 103(a)

In the Office Action, claims 1-20 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Redmond *et al.* (U.S. Publication No. 2002/0095401, hereinafter “Redmond”) in view of Jacobs *et al.* (US Pat. 6,678,791, hereinafter “Jacobs”). Applicant traverses these rejections for reasons already of record, but has amended each of independent claims 1, 9, 14, and 18 herein without prejudice. Applicant respectfully submits that the proposed combination of Redmond and Jacobs fails to teach or suggest each and every feature of the claimed invention as presented herein. Applicant further submits that no new matter is added by the amendments to claim 1, 9, 14, and 18, as support may be found in the specification as filed in at least paragraphs [0027]-[0028], and original claims 5, 11, and 19.

For example, Applicant submits that Redmond and Jacobs fail to teach or suggest a method of tracking data including, *inter alia*, “obtaining response data from the data application based on the tracked data item using the at least one computing device, wherein the obtaining includes retrieving at least one measurable objective associated with the tracked data item, and providing the at least one measurable objective to the data application” (claim 1).

In the Office Action, the Office asserts that Redmond teaches the claimed “retrieving” and “providing” features at paragraphs [0035] and [0040]. (Office Action, p. 5.) At [0035], Redmond teaches a tracking system used to track students’ progress in courses by writing progress data received from course player servers to learning management databases. The tracking system also interfaces on the course player side with client systems requesting data, such as a testing engine or a reporting tool. ([0040].) Where incoming data is not already in a

language used by the tracking engine, it is routed to a translation module before the engine. (*Id.*) Applicant submits, however, that Redmond does not discuss measurable objects, and as such, fails to teach or suggest “retrieving at least one measurable objective associated with the tracked data item” or “providing the at least one measurable objective to the data application” as claimed herein.

With further respect to claim 1, Applicant asserts that Redmond and Jacobs fail to teach or suggest a method of tracking data including, *inter alia*, “receiving a request from a client on at least one computing device, wherein the request is at least one of: providing update data for a tracked data item or requesting data for the tracked data item, and *the request includes a tracking type identifier...*” In the Office Action, the Office relies on Redmond at [0040]-[0041] and [0044] to allegedly teach this feature. At [0040], however, Redmond merely discloses that client systems will “request[] data, such as a testing engine or a reporting tool.” ([0040], lines 2-3.) The requested data is then translated by the translation modules 22, if necessary. (*Id.*, lines 3-5.) Next, “[t]he engine 20 queues received requests/data messages and parses them while in the queues. It then performs the database operation via the interfaces 24, either writes or reads.” ([0041].) At [0044], Redmond teaches the use of an administrator override for this process, in which the administrator changes the redirect.dat file, which redirects all requests for SAO A to requests for SAO B, allowing “client systems to communicate with tracking databases of the administrator’s choice, even if the particular combination of client system and database 10 were never designed to work together.” ([0044].) To this extent, Applicant submits that the request of Redmond fails to disclose a tracking type identifier.

In light of the above, and because Jacobs neither cures nor is alleged to cure the above deficiencies in Redmond, Applicant respectfully requests withdrawal of the rejections of claim 1 and claims 2-4 and 6-8, which depend therefrom, as being allegedly unpatentable over Redmond and Jacobs.

With respect to claim 9, Applicant respectfully submits that Redmond and Jacobs fail to teach or suggest each and every feature of the claim. Claim 9 provides:

“A method of tracking data, the method comprising:
receiving a request from a client on at least one computing device, wherein the request is at least one of: providing update data for a tracked data item or requesting data for the tracked data item and the request includes a tracking type identifier and a session identifier;
determining identifications of the particular tracked data item in the request and the particular client from which the request is received using the at least one computing device;
selecting a handler based on the identifications of the particular tracked data item and the particular client using the at least one computing device, wherein the selected handler provides the particular tracked data item to a data application;
obtaining response data for the tracked data item from the data application using the at least one computing device,
wherein the obtaining includes retrieving at least one measurable objective associated with the tracked data item; and providing the at least one measurable objective to the data application;
generating a response based on the response data using the handler using the at least one computing device, wherein the handler formats the response for the client based on the tracking type identifier and the session identifier; and
providing the response to the client using the at least one computing device.”

For reasons that should be clear from the discussion of Redmond and Jacobs set forth above, Applicant submits that Redmond and Jacobs fail to disclose all the features of claim 9, including the features of “obtaining response data for the tracked data item from the data

application using the at least one computing device, wherein the obtaining includes retrieving at least one measurable objective associated with the tracked data item; and providing the at least one measurable objective to the data application.” and “receiving a request from a client on at least one computing device, wherein the request is at least one of: providing update data for a tracked data item or requesting data for the tracked data item and the request includes a tracking type identifier.”

In view of the foregoing, Applicant respectfully requests that the Office withdraw the rejection with respect to claim 9 and claims 10, 12, and 13, which depend therefrom.

With respect to claim 14, Applicant respectfully traverses the rejection and assert that Redmond and Jacobs fail to teach or suggest each and every feature of the claim. Claim 14 provides:

“A system for tracking data, the system comprising:
 at least one computer, the at least one computer including:
 at least one handler for processing a request that is at least one of: providing update data for a tracked data item or requesting data for the tracked data item and the request includes a tracking type identifier and a session identifier; and
 a management system for receiving the request from a client, determining an identification of the particular tracked data item in the request, and selecting one of the at least one handlers based on the identification of the particular tracked data item, wherein the selected handler provides the particular tracked data item to a data application;
 wherein the selected handler
 obtains response data for the tracked data item, including retrieving at least one measurable objective associated with the tracked data item and providing the at least one measurable objective to the data application, and
 generates a response based on the response data, wherein the handler formats the response for the client based on the tracking type identifier and the session identifier, and stores the response in a recordable medium.”

For reasons that should be clear from the discussion of Redmond and Jacobs set forth above, Applicant submits that Redmond and Jacobs fail to disclose all the features of claim 14, including the features of “wherein the selected handler obtains response data for the tracked data item, including retrieving at least one measurable objective associated with the tracked data item and providing the at least one measurable objective to the data application.” and “at least one handler for processing a request that is at least one of: providing update data for a tracked data item or requesting data for the tracked data item and the request includes a tracking type identifier.”

In view of the foregoing, Applicant respectfully requests that the Office withdraw the rejection with respect to claim 14 and claims 15-17, which depend therefrom.

With respect to claim 18, Applicant respectfully traverses the rejection and assert that Redmond and Jacobs fail to teach or suggest each and every feature of the claim. Claim 18 provides:

“A program product stored on a physical recordable medium for tracking data, the program product including program code, which when executed, causes a computer system to:

receive a request from a client, wherein the request is at least one of: providing update data for a tracked data item or requesting data for the tracked data item, and the request includes a tracking type identifier and a session identifier;

determine identifications of the particular tracked data item in the request and the particular client from which the request is received;

select a handler based on identifications of the particular tracked data item and the particular client, wherein the selected handler provides the particular tracked data item to a data application;

obtain response data for the tracked data item from the data application;

retrieve at least one of: a trackable object and at least one measurable objective associated with the tracked data item;

provide the at least one of: a trackable object and at least one measurable objective to the data application;

generate a response based on the response data using the handler, wherein the handler formats the response for the client based on the tracking type identifier and the session identifier; and provide the response to the client.”

For reasons that should be clear from the discussion of Redmond and Jacobs set forth above, Applicant submits that Redmond and Jacobs fail to teach or suggest all the features of claim 18, including the features of “obtain response data for the tracked data item from the data application; retrieve at least one of: a trackable object and at least one measurable objective associated with the tracked data item; provide the at least one of: a trackable object and at least one measurable objective to the data application.” and “receive a request from a client, wherein the request is at least one of: providing update data for a tracked data item or requesting data for the tracked data item, and the request includes a tracking type identifier.”

In view of the foregoing, Applicant respectfully requests that the Office withdraw the rejection with respect to claim 18 and claim 20, which depends therefrom.

Applicant submits that each of the pending claims is patentable for one or more additional unique features. To this extent, Applicant does not acquiesce in the Office’s interpretation of the claimed subject matter or the reference used in rejecting the claimed subject matter. These features have not been separately addressed herein for brevity. However, Applicant reserves the right to present such arguments in a later response should one be necessary and/or in a related patent application, either of which may seek to obtain protection for claims of a potentially broader scope.

V. CONCLUSION

Applicant respectfully submits that the Application as presented is in condition for allowance. Should the Examiner believe that anything further is necessary in order to place the application in better condition for allowance, the Examiner is requested to contact Applicant's undersigned attorney at the telephone number listed below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jayme M. Torelli", is written over a horizontal line.

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